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IN THE UNITED STATES PATENT & TRADEMARK OFFICE

IN RE APPLICATION OF :  
HIROMI NAMBU, ET AL. : EXAMINER: FUBARA, BLESSING M.  
SERIAL NO: 10/053,658 :  
FILED: JANUARY 24, 2002 : GROUP ART UNIT: 1618  
FOR: DEPILATORY COMPOSITION :

RESPONSE TO NOTICE OF NON-COMPLIANT APPEAL BRIEF

COMMISSIONER FOR PATENTS  
ALEXANDRIA, VIRGINIA 22313

SIR:

Responsive to the Notice of Non-Compliant Appeal Brief of February 21, 2008, the Office Action of July 3, 2007, and further to the Notice of Appeal filed on December 3, 2007, Appellants request review of the rejections in the above-identified application by the Board of Patent Appeals and Interferences.

Section III now provides the status of all claims. Section V now summarizes the subject matter of independent Claim 35.

III. STATUS OF THE CLAIMS

Claims 1, 3-5, 7-8, 10-22, 30-36, and 41-42 are pending in the application. The rejection of Claims 1, 3-5, 7-8, 10-22, 30-36, and 41-42 is appealed. Claims 2, 6, 9, 23-29, and 37-40 are cancelled claims.

V. SUMMARY OF CLAIMED SUBJECT MATTER

Independent Claim 1 is drawn to a depilatory gel sheet. The depilatory gel sheet comprises a support and a gel depilatory composition. The gel depilatory composition comprises a keratin reducing compound, a hydrophilic polymeric compound having an ionic group, an ionic-bonding crosslinking agent, and water. The gel depilatory composition has a viscosity of 500,000-20,000,000 mPa·s. The hydrophilic polymeric compound is crosslinked with the ionic-bonding crosslinking agent (see Claim 1; page 3, lines 8-13; page 27, last line - page 28, line 10; and page 3, lines 17-21). The keratin reducing compound is described in the paragraph bridging pages 4 and 5. The hydrophilic polymeric compound is described on page 7, lines 2-5+. The ionic-bonding crosslinking agent is described on page 11, lines 20-26. The support of the depilatory gel sheet is described in the paragraph bridging pages 23 and 24.

Dependent Claim 3 requires the inclusion of a non-ionic hydrophilic high molecular compound described on page 10, line 22 - page 11, line 22. Dependent Claim 4 requires the inclusion of water insoluble particles described on page 13, second to the last line through page 19, line 21. Dependent Claim 8 requires the inclusion of a compound having particular solubility parameters described on page 19, line 22 - page 21, line 8.

Claim 20 is drawn to a method that includes applying the depilatory gel sheet to a portion of a body in need of depilation and peeling off the depilatory gel sheet to remove hairs from the body (see page 30, line 18-page 32, line 3).

Dependent Claim 30 is drawn to a method that includes applying the depilatory gel sheet to a portion of a body in need of depilation, and removing the depilatory gel sheet without drying the gel depilatory composition of the depilatory gel sheet (page 3, lines 13-14; page 23, last paragraph; and page 25, lines 1 and 7).

Independent Claim 35 is drawn to a method that consists of applying the depilatory gel sheet of the invention to a portion of a body in need of depilation and peeling off the depilatory gel sheet to remove hairs from the body (page 30, line 19 to page 31, line 14; and page 32, line 5, page 33, line 14).

Independent Claim 36 is drawn to a method that consists of applying the depilatory gel sheet of the invention to a portion of a body in need of depilation; warming the depilatory gel sheet to swell and warm hairs present on the body; peeling off the depilatory gel sheet to remove hairs from the body (page 30, line 19 to page 31, line 14; and page 32, line 5, page 33, line 14).

Respectfully submitted,

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